

REGISTER

South Dakota Legislative Research Council



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Monday, 8:00 a.m., May 6, 2002

A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE

NOTICES OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council)

Department of Social Services: (May 2, 2002) intends to adopt rules under the authority of the Food Stamp Act of 1977 to specify that categorically eligible households are limited to those households in which all members receive certain public assistance benefits. These mandatory changes must be implemented by the State of South Dakota as a condition for participating in the Food Stamp Program. The general authority for this rule, as cited by the department, is SDCL 28-12-1.

Department of Transportation: (May 3, 2002) is proposing rules to amend speed zones in Minnehaha, Yankton, Hamlin, and Meade Counties. The general authority for these rules, as cited by the department, is SDCL 32-25-7.

A public hearing will be held in Commission Room 202, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on May 23, 2002, at 9:00 a.m. Copies of the proposed rules may be obtained from and written comments sent to the Secretary of Transportation, Becker-Hansen Building, Room 202, 700 East Broadway Avenue, Pierre South Dakota 57501-2586. Written comments must be received by May 22, 2002, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3265 at least forty-eight hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Administrative Rules:

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES: WATER MANAGEMENT BOARD: 74:02:01:01, 74:02:01:42, 74:02:01:42.04, 74:02:01:42.08, 74:02:01:43.04 to 74:02:01:43.12, inclusive.

History-Notice: 28 SDR 117, Feb. 19, 2002
Hearing: March 13, 2002
Filed: April 26, 2002
Effective: May 16, 2002

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES: ENVIRONMENTAL SERVICES: 74:52:01:01, 74:52:01:05, 74:52:01:06; 74:52:02:09, 74:52:02:36, and 74:52:02:37.

History-Notice: 28 SDR 117, Feb. 19, 2002
Hearing: March 13, 2002
Filed: April 26, 2002
Effective: May 16, 2002

DEPARTMENT OF COMMERCE AND REGULATION: DIVISION OF INSURANCE: 20:06:13:02, 20:06:13:17.03, 20:06:13:17.09, 20:06:13:27, 20:06:13:31, 20:06:13:32, 20:06:13:80, 20:06:13:80.01, 20:06:13:80.02, 20:06:21:01, 20:06:21:01.03, 20:06:21:01.04, 20:06:21:02, 20:06:21:04, 20:06:21:05, 20:06:21:05.01, 20:06:21:06.01, 20:06:21:19, 20:06:21:28, 20:06:21:44, 20:06:21:44.01, 20:06:21:46, 20:06:21:47, 20:06:21:52, 20:06:21:53.01, 20:06:21:53.02, 20:06:21:53.03, 20:06:21:53.04, 20:06:21:56 to 20:06:21:72, inclusive; and Appendices A, E, F,

G, H, I, and J; and 20:06:29:04, 20:06:40:05, 20:06:40:05.01.

History-Notice: 28 SDR 115, Feb. 11, 2002
 Hearing: February 28, 2002
 Filed: April 29, 2002
 Effective: May 19, 2002

**DEPARTMENT OF COMMERCE AND
 REGULATION: DIVISION OF
 INSURANCE:** 20:06:39:20.01 to
 20:06:39:20.06, inclusive.

History-Notice: 28 SDR 129, March 11, 2002
 Hearing: March 27, 2002
 Filed: April 29, 2002
 Effective: May 19, 2002

Executive Appointments:

Thomas Cihak, Yankton, was appointed on April 11, 2002, to the **Board of Pardons and Parole**, effective July 1, 2002, and to continue to January 16, 2006.

Richard Westra, Aberdeen, was appointed on April 18, 2002, to the **State Banking Commission**, to replace Arthur Russo, effective immediately and to continue to July 1, 2004.

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Commerce and Regulation for commercial driver licensing, the Department of Labor for Article 47:03, and the Department of Revenue.

REMINDER OF HEARINGS SCHEDULED

5-9-2002	Game, Fish and Parks	Youth deer season, Black Hills deer season, snagging and spearing paddlefish; 28 SDR 149.
5-16-2002	Agriculture: Weed and Pest Control Commission	Noxious weed list, number of noxious weeds and pests allowed; 28 SDR 145.
5-16-2002	Agriculture: Agricultural Services	Changes to the 1999 Pasteurized Milk Ordinance; 28 SDR 145.
5-16-2002	Environment and Natural Resources: Environmental Services	Air pollution control in Rapid City area; 28 SDR 149.
5-16-2002	Social Services	TANF payments, update SSI; incorporate reference to latest Federal Poverty Levels; 28 SDR 154.
5-20-2002	Revenue	Vehicle permits, administration of taxes authorized in HB 1002, 1003, SB 167, electronic taxpayer records, assessor's school, update manuals to 2002 versions, mobile home dealer's inventory, mobile homes SD title, form for opt out resolution, repeal certain rules, visitor-

		related business tax, municipal tax, telecommunication services, tax trade-in vehicles, windshield placards for disabled persons, alcohol beverage retail premises; 28 SDR 153.
5-20-2002	Health	Nurse tuition reimbursement; 28 SDR 153.
5-21-2002	Commerce and Regulation: Electrical Commission	Adopt the 2002 National Electrical Code, continuing education for apprentice electricians, change commission address; 28 SDR 146.
5-23-2002	Transportation	Amend speed zones in Minnehaha, Yankton, Hamlin, and Meade Counties; 28 SDR 157.
6-7-2002	Commerce and Regulation: Chiropractic Examiners	Increase license fee, update sections on doctor/patient confidentiality, clarify code of ethics, update sanctions imposed regarding discipline; 28 SDR 146.
6-13-2002	Commerce and Regulation: Board of Pharmacy	Authorize pharmacists to provide influenza immunizations, standards for packaging unit dose medications; regulate return of non-controlled medications from nursing homes and assisted living facilities; 28 SDR 154.

Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held Tuesday, May 14 in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2002 interim: June 11, August 6, September 17, November 20, and January 6.

Agencies whose rules have had a public hearing will be scheduled to meet with the Rules Review Committee and are asked to have a representative present at the meeting to give background information on their rules.

Note: An updated version of the Administrative Rules Guide to Form and Style is now available at the LRC office and on the LRC web site.

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